IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE D.APPA RAO

WRIT PETITION No.20664 OF 2006

Between:

M/s.Sujana Metal Products Limited,
rep. by its Director G.Srinivasa Raju.

..... PETITIONER

AND

Additional Commissioner (CT) (Legal),
O/o.The Commissioner of Commercial Taxes,
2nd Floor, Commercial Taxes Building,
Nampally, Hyderabad, and others.

....RESPONDENTS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
D.APPA RAO

WRIT PETITION No.20664 OF 2006

O R D E R
(Per Sri Justice J.Chelameswar)

This writ petition is filed with a prayer as follows:

> **" ... Hon'ble Court may be pleased to issue a Writ or order or direction particularly one in the nature of Writ of Mandamus declaring the order dated 5-10-2005 of the 2nd respondent passed in Ref.No.AC(CT)/PJT Division, Hyderabad Inspn. Reg.S 1.No.1/05-06 as illegal violating Article 14 of the Constitution of India consequently set-aside the same and pass..."**

It may not be necessary to go into the factual details of the case except state that by an order dated 05.10.2005, the second respondent directed confiscation of the steel in the custody of the petitioner company approximately weighing 8,479.853 metric tonnes. Aggrieved by the order of confiscation, admittedly an appeal is preferred by the petitioner before the third respondent and the same is still pending.

Heard the learned Government Pleader.

In the circumstances, we are of the opinion that the writ petition can be disposed of at the admission stage itself by directing the third respondent to hear the appeal preferred by the petitioner and dispose of the same in accordance with law, as expeditiously as possible, preferably within a period of

eight weeks from today.

Admittedly, for the past one year, the respondents have not taken any steps to dispose of the confiscated property. In the circumstances, we are of the opinion that in view of the direction given today for disposal of the appeal, it is just and proper to direct the respondents not to sell the confiscated property until the appellate authority passes final order in the appeal.

Accordingly, the writ petition is disposed of. No costs.

JUSTICE J.CHELAMESWAR

JUSTICE D.APPA RAO

1st DECEMBER, 2006

Note: Issue copy in one week
(B/O)PGS

THE HON'BLE MR JUSTICE
J.CHELAMESWAR
AND
THE HON'BLE MR JUSTICE
D.APPA RAO

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1ST DECEMBER, 2006